

APR 29 2005

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

DANVILLE DIVISION

JAMES W. WARREN, JR.,

Plaintiff

v.

JO ANNE S. BARNHART,
Commissioner of Social Security,

Defendant

Case No. 4:04cv00041

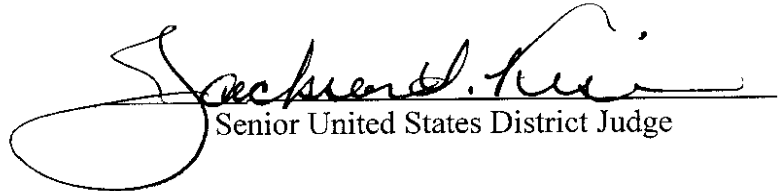
ORDER

On July 15, 2004, this Court entered an order referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and recommended disposition. The magistrate judge filed his report and recommendation on April 1, 2005. After a careful review of the entire record in this case and no objection having been filed to the magistrate judge's report and recommendation within ten (10) days of its service upon the parties, this Court adopts the magistrate judge's report in its entirety. Accordingly, it is this day ADJUDGED and ORDERED as follows:

1. The report and recommendation of the United States Magistrate Judge, filed April 1, 2005, shall be, and hereby is, adopted in its entirety.
2. Plaintiff's claim is hereby remanded for further proceedings. In the event that the commissioner is unable to grant benefits on the current record, she is to recommit the case to a Law Judge to conduct supplemental proceedings in which both sides may introduce additional evidence.
3. This case shall be, and it hereby is, dismissed and stricken from the active docket of this Court.

The Clerk is directed to send a certified copy of this order to the plaintiff, counsel of record and to U. S. Magistrate Judge B. Waugh Crigler.

ENTER this 29th day of April, 2005.


Senior United States District Judge